

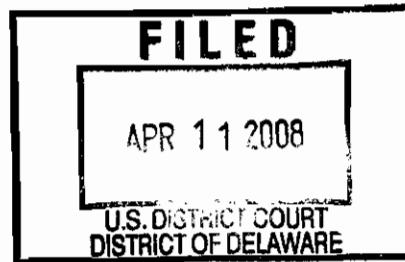
In The United States District Of Delaware

James Arthur Biggin
Plaintiff,

vs
Governor Ruth Ann Minner et al.
Defendants.

C.A.No.1-08-04 GMS

To: The Honorable Gregory M Sleet
Judge's Chambers
U.S. District Court House
844 North King Street
Wilmington, Delaware 19801



You're Honor:

RE scanned

With deep respect of you're time, i again submit documentation of the defendants intentional deprivations of health care of my serious medical needs that has now been demonstrated at such severity that it now essentially amounts to a form of punishment warranting immediate attention. Ramos v Lamm, 16th Cir., 639 F.2d 559 (1980) cert. denied, 446 U.S. 1041 (1981); Inmates of Allegheny Co. Jail v Piecik, 3 Cir., 812 F.2d 754 (1979); Cruz v Ward, 28 Cir., 558 F.2d 658 (1977) cert. denied, 934 U.S. 1018 (1978); Robert E. v Lane, ND Ill., 535 F. Supp. 936 (1981); Giffin v Smith, W.D.N.Y. 493 F. Supp. 129 (1980). See exhibit(A)(Medical Sick Call), informing that im once again without chronic esse med for back condition and would like to be seen immediately. Exhibit(B)(Emergency Medical Grievance) (requesting investigation into there monitoring and medical record keep. And advising them to treat the grievance with urgency). Note further, these medical issues have been exhausted repeatedly and is the grounds on which this case was filed.

You're Honor, the defendants practices are willful and wanton. And I nor anyone else should continuously be subjected to this "cruel and unusual and unnecessary punishment. Sowell v. Gillis, 372 F.3d 218, 235 (3d Cir. 2004); Jackson v. Fauber, 339 F. Supp. 2d 647, 736 (D.N.J. 2004).

X C. File:
James E. Depee (Att.CMS); and
Opheila M. Winters (Att.State Defendants)

James Arthur Biggin

DELAWARE DEPARTMENT OF CORRECTIONS
REQUEST FOR MEDICAL/DENTAL SICK CALL SERVICES
FACILITY: DELAWARE CORRECTIONAL CENTER

This request is for (circle one): MEDICAL DENTAL MENTAL HEALTH

James Arthur Biggins

Name (Print)

May 11, 1964

Date of Birth

MHU#22 / A-U-4

Housing Location

April 8th, 2008

Date Submitted

Complaint (What type of problem are you having)? On Saturday (April 5th, 2008), I was informed once again that the chronic care treatment meds (Tylozone 3) had expired. I have nothing for pain management and suffer daily constantly, you all have already failed to give me anything else to assist with the (Tylozone 3) for back pain in the last 3 months or so. Despite your alleged record keeping system, this still happens. I need to see a doctor immediately please.

James Arthur Biggins

April 8th, 2008

Date

The below area is for medical use only. Please do not write any further.

S:

O:

Temp:

Pulse:

Resp:

B/P:

WT:

A:

P:

E:

Provider Signature & Title

Date & Time

X.C. File
U.S. District Court, C.A. No. 1:08-NY-GMS

JAMES E. Denes, Esquire
DAPHNE M. Waters, Esquire

Ex.A

JAMES E. Denne, Esquire
Ophelia M. Waters, Esquire

FORM #585MEDICAL GRIEVANCE

FACILITY: Delaware Correctional Center
INMATE'S NAME: James Arthur Biggins
HOUSING UNIT: MHU#22 / A-11-4

DATE SUBMITTED: April 8th, 2008

SBI#: #319224

CASE #: _____

SECTION #1DATE & TIME OF MEDICAL INCIDENT: On-GoingTYPE OF MEDICAL PROBLEM: Those in charge please recognize that pain meds are needed, to stop pain.

Despite having won an appeal for the CMS record keeping policy to conform to their "Action Plan" to monitor chronic care and special needs patients' medications(s) and doctor required appointments regularly under their agreement with the State of Delaware and the U.S. Dept. of Justice, which accordingly is supposed to be in place and effective 12/30/07. Here we are 4 months in and despite CMS had having since 12/30/06, to get their system together nothing still hasn't changed!

I have now been without any assistance pain relief meds that work in conjunction with the minimum effective relief from the (Tylenol 13) for over 4 months. And have been prescribed with the doctor's knowledge "Pantac forte" twice, that adversely affects me. And like always, I'm again without now any medication for my chronic care medical problem with my back. Note that I'm requesting this grievance be treated with priority (an emergency) and someone get me immediately a doctor's appointment to take care of the situation.

GRIEVANT'S SIGNATURE: James Arthur BigginsDATE: April 8th, 2008

ACTION REQUESTED BY GRIEVANT: Would like an investigation conducted on the emphasis of your agreement to improve your record keeping, monitoring of chronic care and special needs patients' medical treatment, and implement those policies to ensure that my health care needs are adequately met. Am I a special case, to whom is repeatedly established against for my progresses?

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

INM James Arthur Johnson
SBI# #319064 UNIT # MA-114
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE

X-RAY



legal Mail

TO: Clerk of the Court
United States District Court House
844 North King Street
Wilmington, Delaware
19801

RAY
J.M.S.

132G04147543